

IC 9-23

**ARTICLE 23. VEHICLE MANUFACTURERS,
DISTRIBUTORS, AND DEALERS**

IC 9-23-1

Chapter 1. Motor Vehicle Sales Advisory Board

IC 9-23-1-1

Establishment of board

Sec. 1. The motor vehicle sales advisory board is established to advise the bureau in the administration of this article.

As added by P.L.2-1991, SEC.11.

IC 9-23-1-2

Composition of board

Sec. 2. (a) The advisory board is composed of the commissioner and eight (8) persons appointed by the governor as follows:

(1) Two (2) of the appointed members must be franchised new motor vehicle dealers as follows:

(A) One (1) member must have sold less than seven hundred fifty (750) new motor vehicles in the year before the member's appointment.

(B) One (1) member must have sold more than seven hundred forty-nine (749) new motor vehicles in the year before the member's appointment.

(2) Two (2) of the appointed members must represent the automobile manufacturing industry and must have been Indiana residents for a period of two (2) years immediately preceding their appointment.

(3) Two (2) of the appointed members must represent the general public and may not have any direct interest in the manufacture or sale of motor vehicles.

(4) One (1) member must represent used motor vehicle dealers that are not franchised new motor vehicle dealers.

(5) One (1) member must represent used motor vehicle auctioneers.

(b) Not more than four (4) members of the board may be of the same political party.

As added by P.L.2-1991, SEC.11. Amended by P.L.101-1991, SEC.1.

IC 9-23-1-3

Terms; removal; vacancies

Sec. 3. (a) A member appointed under section 2 of this chapter serves a three (3) year term. A person may not serve more than two (2) consecutive full terms. Each appointed member serves until the member's successor is duly appointed and qualified.

(b) A member may be removed for good cause.

(c) A vacancy shall be filled by appointment of the governor for the unexpired term.

As added by P.L.2-1991, SEC.11.

IC 9-23-1-4

Compensation; membership not holding of public office

Sec. 4. Members of the advisory board are entitled to receive the expenses and per diem allowed by law. Membership on the advisory board does not constitute the holding of a public office.

As added by P.L.2-1991, SEC.11.

IC 9-23-1-5

Officers

Sec. 5. The commissioner shall serve as chairman of the advisory board. The advisory board shall elect a vice chairman and secretary from the appointed members during the first month of each year. The vice chairman and secretary serve until their successors are duly appointed and qualified and may be removed for good cause.

As added by P.L.2-1991, SEC.11.

IC 9-23-1-6

Meetings; time

Sec. 6. The advisory board shall meet during the first month of each year. Additional meetings may be convened at the call of the commissioner or the written request of any three (3) members.

As added by P.L.2-1991, SEC.11.

IC 9-23-1-7

Meetings; quorum; majority vote

Sec. 7. Five (5) members of the advisory board constitute a quorum for doing business. The majority vote of the members of the quorum, present and voting, is required for the passage of a matter put to a vote of the advisory board.

As added by P.L.2-1991, SEC.11. Amended by P.L.101-1991, SEC.2.

IC 9-23-1-8

Powers

Sec. 8. The advisory board is vested with the following powers:

- (1) To consult with and advise the bureau.
- (2) To suggest rules, including the following:
 - (A) The contents of forms.
 - (B) Methods and procedures for the investigation and evaluation of the qualifications of applicants for licenses.
 - (C) The criteria upon which to issue, deny, suspend, and revoke licenses.
 - (D) Procedures for the investigation into and conduct of hearings on unfair practices.

As added by P.L.2-1991, SEC.11.